

ADMINISTRATIVE COMMITTEE ON VETERANS AFFAIRS
EXPRESSWAY SUITES, BISMARCK ND

August 21, 2009
1:00pm

Meeting called to order by Chairman Schuchard. Pledge of Allegiance and Moment of Silence for POW/MIAs and those serving overseas.

Roll Call:

Present:

John Adolf	Ken Hasby	Ron Otto
Lee Finstad	Dave Hilleren	Dean Overby
Mike Fisher	Rudy Jenson	Lyle Schuchard
Jeff Hall	Mark Landis	

Absent:

John Hanson	Orletta Kilen	Wayne Paulson
Dave Vandergon		

Guests:

Jerry Balzer
Bob Hanson
Wyman Roeder, Job Service ND
June Veit, Senator Conrad's Office
Jim Hilzendeger, Vice-President NDCVSO

Chairman Schuchard welcomed the committee and guests. He asked one of the new members to introduce himself and tell a little about himself. Mark Landis is Burleigh County Veterans Service Officer and a retired Guardsman. He hopes to make a positive contribution to the committee.

Motion by Rudy Jenson to accept the May 29 & 30, 2009 meeting minutes, second by John Adolf. Motion passed.

Motion by Dave Hilleren to accept the June 10, 2009 meeting minutes, second by Mike Fisher. Motion passed.

Speakers:

Mark Johnson, Administrator, ND Veterans Home

► Overview of the construction of the new Veterans Home. The majority of footings are in place and the walls of the building should be going up within the next two weeks. Overall the project is going very well. The 1990 addition is being looked at with the chance of becoming a Community Based Outpatient Clinic run by the VA. The Gazebo will need to be moved, it is presently attached to the skilled side. Water and sewer will need to be brought into the Gazebo once it is moved. If organizations are looking for projects to help at the Home, this would be a good one since no funds were legislated to help with the cost. A group from South Dakota is coming to tour the site. They will be coming in Monday, August 31st. ACOVA members invited to come down and take a tour of the construction area.

► Returned from National Association for State Veterans Home. At a national level, there is a problem with the way the VA is handling the 70% disabled veteran in State Veterans Homes. The VA will pay the same rate as they pay at a regular nursing home with the exception of payment for meds or rehab. So a regular nursing home gets more reimbursement than the state veterans home. Senator from North Carolina will be introducing a bill to try and correct this problem.

Kristin Lunneborg, Accounting Manager, ND Veterans Home

Update committee on changes made to Rent Policy No. 30 (policy distributed).

(1) under Policy, remove "Veterans Administration" and add "the North Dakota Veterans Home Governing Board". This is due to a legislative change.

(2) under How Rent is Calculated-Basic Care, remove #5 – A husband and wife, both residing at the Veterans Home may request to have their incomes combined for the purpose of calculating rent charges. This option must be approved by the Administrator. This will result in everyone being treated the same.

(3) under Skilled & Basic Care Rent for Absence Days, include "including leaves of absence" and delete "of absences except for days of hospitalization in a VA hospital or a non VA hospital at the VA expense. The Veterans Home was losing money since Medicaid pays for the veteran absence.

(4) under Collections, delete "Basic Care". Will be more in line with other skilled nursing facilities.

(5) Change statement to read, "Any changes to this policy must be approved by the North Dakota Veterans Home Governing Board." This removes the Administrative Committee on Veterans Affairs from approving policy in accordance with legislative changes.

Dean Overby questioned the validity of change #5. Kristin will check the minutes for accuracy.

Chairman Schuchard introduced Ron Otto as Secretary of the Administrative Committee. Ron is the Morton / Oliver County Veterans Service Officer. He hopes to contribute to the committee.

Chairman Schuchard presented a plaque to Jerry Meske thanking him for his service on the Administrative Committee.

BG Patrick Martin, ND National Guard
Brings greetings from General Sprynczynatyk, Adjutant General, ND National Guard.
Presented information on Guard activities (Power Point presentation)

Marlys Morgenstern, Veterans Program Coordinator , Job Service North Dakota, Bismarck. Brings greetings from Maren Daley, Director, ND Job Service.
Since January 2009, JSND has provided services to over 14,700 veterans – an increase of over 4,000 from this same period in 2008. More than 25,000 individuals have registered for our Virtual One Stop services since January 2009 – 5.5% of these new registrations are veterans. This past quarter we saw a 5% increase in veterans entering employment.

Jerry Meske
The Bismarck StandDown is set for September 2, 2009 at the AMVETS building. The StandDown committee combined with the Missouri Valley Coalition for Homeless People which will enable more services to be offered than in the past. Appreciate the support the Committee has given in the past and would appreciate their support in the PWTF request that has been submitted.

Kelly Schmidt, State Treasurer
Carlee McLeod, Deputy State Treasurer
► Distributed Veterans PWTF biennium end analysis 2007-2009 and Veteran's PWTF Biennial 07-09 Report.
The plan is for ACOVA members to receive a monthly report. They will be notified by email when the report is posted on the State Treasurer's website. The report will contain all income and expenditures. There was an explanation of investments, i.e. CD's, security accounts.

Rudy Jenson wondered why we couldn't go to the Emergency Commission and request funding to help until the Postwar Trust Fund recovers.

State Treasurer reported an analysis of the fund is being done. A lot of questions have come up and is being worked out with the Attorney General's Office. Meanwhile, a study could be done to assess the future needs of North Dakota's veterans.

An annual income in the amount of \$105,000 can be anticipated or \$210,000 a biennium.

Dean Overby asked for clarification on the Restricted Fund and why the \$450,000 isn't available. Schmidt reported that by law there is only one fund. The Committee understood the Restricted Fund was interest earnings that was to have been placed in CD's. Overby reported that a state legislator stated he talked with the State Treasurer's office and there was \$450,000 set aside

Chairman Schuchard reminded the committee that at the last meeting an Attorney General's Opinion was to be requested on the status of the \$450,000. That information is still pending.

Discussion on status of grant program. There are monies available to pay existing bills but the question is what to do with the grant applications pending approval. Presently, there isn't enough money to cover the amount and the amount keeps growing as applications still come into the office.

Subcommittee Meetings

Committee recessed until Saturday at 8:00am.

Saturday, August 22, 2009
8:00am

Committee reconvened.

Meeting called to order by Chairman Schuchard. Pledge of Allegiance and Moment of Silence for POW/MIAs and those serving overseas.

Roll Call:

Present:

John Adolf
Lee Finstad
Mike Fisher
Jeff Hall

Ken Hasby
Dave Hilleren
Rudy Jenson
Mark Landis

Ron Otto
Dean Overby
Lyle Schuchard

Absent:

John Hanson
Dave Vandergon

Orletta Kilen

Wayne Paulson

Guests:

Jerry Meske

Subcommittee Reports:

DVA Subcommittee, Dean Overby, Chairman

Commissioner presented Power Point presentation on Department activities.

Department training

- ▶ Commissioner, Tom Sumer, and Gene Kouba attend NACVSO Training held in San Diego, June 6-13.
- ▶ Betty Helmer attended the State Women Veterans Coordinators Conference in New Hampshire, June 2-9.
- ▶ ND Human Resources presented a training session, "Train the Trainer" to the staff on June 29.
- ▶ Commissioner Wangen completed the NVLSP Basic Training Course to become accredited with the V.V.A. and is presently working on the on-line T.R.I.P. course thru the V.A.

Outreach / Presentations / Visits

- ▶ Plans are for the Women's Veterans Coordinator to conduct a meeting throughout the state. Presently the four areas determined to start a once a month regular meeting are Fargo, Grand Forks, Bismarck and Minot.
- ▶ The Kosovo Pre-Deployment sessions in Bismarck, Valley City and Fargo have been attended by one of the staff.
- ▶ Law enforcement outreach will begin in Fargo. Working with VA personnel, we hope to alert officers of issues affecting veterans, i.e. PTSD.
- ▶ Commissioner attended the VVA convention and American Legion training in July; participated in presentation in Fargo (David Zier last survivor of the Robalo) and Park River (Lothspeich family who had the most number of sons who served in the military)

CVSO Training

- ▶ Report given on the upcoming Fall CVSO Training Conference and the Spring 2010 Conference.

CVSO Site Visits

- ▶ Commissioner has conducted 23 official site visits.

Audit

- ▶ Department audited May 5 – 8 by the state auditors office. The draft report is completed, there were one formal recommendation and three information

recommendations. Compliments on a job well done were given to Cathy Halgunseth and Andrea Swiontek.

► Updates given on Discharge Project, Loan Program, Grant Program, Transportation Program and Website improvements.

Mike Fisher asked if anyone is pursuing getting a donated van. The Commissioner believes the DAV has a program.

Ron Otto brought up the fact that the vans are not wheelchair accessible. Perhaps one van could be outfitted to meet that need. Otto asked committee members to come up with ideas on how it could be accomplished.

Motion by Mark Landis to appoint Mike Fisher as the point man to find information on getting a donated van, second by Ron Otto. Motion passed.

Dean Overby spoke on his term as chairman of the subcommittee. He found it to be challenging but fun. Overby thanked the Commissioner for the work he's done. The department staff is working in harmony and the only problem is the financial area of the grant program. Overby wanted to thank everyone on the committee.

Motion by Dean Oveby to accept the report, second by Rudy Jensen. Motion carried.

The Budget Committee did not have any business and therefore didn't meet.

Appeals Committee – Lee Finstad, Acting Chairman

No hearings to report. One loan application appeal pending a hearing.

Motion by Ken Hasby to accept the report, second by Mike Fisher. Motion passed.

Legislative Committee – Lee Finstad, Chairman

There was no business to report. Chairman Schuchard asked committee members to send any information on legislative items to Lee as soon as possible.

Motion by Lee Finstad to accept report, second by Jeff Hall. Motion passed.

PWTF Committee – Dave Hilleren, Chairman

Committee met Friday afternoon and again Saturday morning. Chairman Hilleren deferred to Mark Landis, Secretary, for the report. Recommendations were given to committee. Work is beginning on the PWTF budget with the Commissioner. Planning a conference call within the next 30 days to finalize budget. May recommend a request to the Emergency Commission for funding. Also voted to authorize grant money as it comes available from the PWTF.

Recommendation #1:

The Commissioner will screen grant applications for eyeglass and hearing aids to determine if the VA can provide those services.

Motion by John Adolf to approve Recommendation # 1, second by Dave Hilleren Motion passed.

Dean Overby questioned whether the subcommittee meeting is valid since the committee business should have only been conducted by former committee members. He pointed out the Chairman stated that former committee members would be conducting the subcommittees' business. The new subcommittees would be meeting later to elect their chairman. Chairman Schuchard stated he and Secretary Otto assigned the committee members earlier but it hadn't been announced. Chairman Schuchard stated he asked the new members to sit in on the committee meeting but not necessarily participate. Overby was unaware that he had been assigned to the PWTF committee. The new members shouldn't have voted or nominated to be Secretary. Chairman Schuchard stated he asked new committee members to sit in on the meetings not necessarily to participate.

Lee Finstad spoke on the fact he has served six years on the committee and has served on the same committee the entire time. You would think that we would want to get as much diversity as possible. One of the things that came up during legislative session when they were trying to change the board was the inefficiencies of the board. One of the arguments against that was that the subcommittees function very well. They take on huge responsibilities. So I think the appointment to these committees is one of the most important things that happen. Leaving the entire committee out of the decision is wrong. Chairman Schuchard responded it's policy and law how the subcommittees are named. He said Finstad is right in that people should be moved around the committees. Schuchard stated he wanted stability and continuity in the committees. But if people want to be on a different committee, to let him know and changes could possibly be made during the year.

Recommendation #2

Authorize \$12,888.89 to pay for carry over grants from the 2007-09 biennium.

Motion by Lee Finstad to approve Recommendation #2, second by Mike Fisher. Motion passed.

Recommendation #3

Commissioner will coordinate with the VA to insure maximum utilization of the transportation network vans.

Motion by Lee Finstad to approve Recommendation #3, second by Mike Fisher. Motion passed.

Recommendation #4

Deny the request for \$1,500 from the DAV for transportation costs.

***Motion by Rudy Jenson to approve Recommendation #3, second by Lee Finstad.
Motion passed.***

Recommendation #5

Authorize up to \$3,500 to the Bismarck StandDown Committee. They will present bills to ACOVA after the event.

***Motion by John Adolf to approve Recommendation #5, second by Rudy Jenson.
Motion passed.***

Chairman Schuchard spoke on changing the policy regarding how the subcommittee members are named. It is something that can be brought up for discussion.

***Motion by Dave Hilleren to accept PWTF subcommittee report, second by Lee Finstad.
Motion passed.***

Chairman's Report

Chairman Schuchard reported the Governor's Office was late making ACOVA appointments due to the large number of phone calls and emails regarding who should/shouldn't be on the committee. The appointments should have been made by July 1.

There is still no report from State Treasurer's on PWTF. The Chairman and State Treasurer were to meet with AG's office on status of fund. Committee may have to follow-up on getting a report on their own.

Legislators commented on how divided veterans during the session. HB 1057 took time away from other important issues. Lee Finstad spoke on one of the most successful legislative sessions, it was a result of a day long session with ACOVA, NDVCC, Nat'l Guard, Attorney General's Office and other interested individuals. The result was everyone was united going into the session. Rudy Jenson talked on how the Veterans Home and Governing Board needs to come through the Coordinating Council and the Administrative Committee with their bills. Ron Otto talked about concerns on how the Administrator and Chairman of the Governing Board handled the legislative session.

Committee was unable to meet with Coordinating Council at this time so that will be scheduled for a future date. It was important to take care of the PWTF issue.

***Motion by Dean Overby that that Chairman, Secretary and Postwar Trust Fund Committee meet with the Attorney General and get an opinion on the Reserve Fund (\$450,000) which was to set aside money from the principal fund, second by Jeff Hall .
Motion passed.***

Chairman Schuchard reiterated that even though the members are supported by the different organizations, there is no distinction in everyone working together for veterans. If anyone has any concerns or hears anything of concern to let him know so it can be addressed as soon as possible.

Jerry Meske thanked the committee for the PWTF monies supporting the StandDown. He encouraged the committee to review the Governing Board minutes. There are changes to the Bylaws and oversight of the Veterans Home being made by the Governing Board without the knowledge of the Administrative Committee. Ron Otto pointed out there is always the legislative process that can be used to provide oversight to the Governing Board if it is necessary.

Motion by Lee Finstad that any policy changes made by the Veterans Home be first submitted to the Administrative Committee for approval before it goes to the Attorney General's Office, second by Ron Otto. Friendly amendment by Lee Finstad that the Governing Board be notified and reminded that N.D.C.C. 37-15-03 mandates the committee's supervision and any policy changes should be submitted to the committee as recommendations, second by Ron Otto. Motion passed.

Chairman Schuchard asked Dean Overby and Jerry Meske to let the Governing Board know that their minutes need to put on the website in a more timely manner. Lee Finstad was asked to draft a letter for the Chairman's signature on the above motion.

Subcommittees met to elect their chairman. The following chairmen were announced:
Department of Veterans Affairs Committee – Dave Hilleren
Budget Committee – Ken Hasby
Postwar Trust Fund Committee – John Hanson
Appeals Committee – Orletta Kilen
Legislative Committee – Lee Finstad

Commissioner Wangen brought forward issues that need addressing regarding Veterans Preference: (1) State and Federal definition of a veteran have different criteria and (2) Attorney General's Office and OMB want to get together with Commissioner to discuss changing veterans preference to a simple point system. Lee Finstad will work with Bob Evans, ND Veterans Coordinating Council, on these issues. Commissioner will visit with the AG's Office and OMB and bring back the results to the Committee.

Rudy Jenson was thanked for his contributions for serving as Chairman of the ACOVA.

November 20 & 21, 2009 at the Comfort Inn, Bismarck.

Meeting adjourned.

Respectfully submitted

Ron Otto
Secretary